

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:	:	Chapter 11
	:	
MALLINCKRODT PLC, et al.,	:	Bankruptcy Case No. 20-12522 (JTD)
	:	BK Adv. No 20-50850 (JTD)
Debtors.	:	BK BAP No. 20-55
	:	
CITY OF ROCKFORD,	:	
	:	
Appellant,	:	
	:	
v.	:	C. A. No. 20-1533-LPS
	:	
URMILA PARANJPE BAUMANN;	:	
EXPRESS SCRIPTS HOLDING CO.;	:	
EXPRESS SCRIPTS, INC.;	:	
CURASCRIPT, INC. d/b/a CURASCRIPT	:	
SP SPECIALTY PHARMACY; PRIORITY	:	
HEALTHCARE CORP.; PRIORITY	:	
HEALTHCARE DISTRIBUTION, INC.	:	
d/b/a CURASCRIPT SD SPECIALITY	:	
DISTRIBUTION; ACCREDO HEALTH	:	
GROUP, INC; and UNITED BIOSOURCE	:	
LLC f/k/a UNITED BIOSOURCE CORP.,	:	
	:	
Appellees.	:	

RECOMMENDATION

At Wilmington this **15th** day of **December , 2020**.

WHEREAS, pursuant to paragraph 2(a) of the Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District dated September 11, 2012, the court conducted an initial review, which included information from counsel, to determine the appropriateness of mediation in this matter;

WHEREAS, as a result of the above screening process, the issues involved in this case are not amenable to mediation and mediation at this stage would

not be a productive exercise, a worthwhile use of judicial resources nor warrant the expense of the process.

The parties advised by letter¹ that neither party believes that mediation would be productive and requested that this appeal be removed from mandatory mediation. The parties further request that the following briefing schedule be entered on Appellees' pending motion to dismiss the appeal for lack of jurisdiction at D.I. 5.

Appellants' Opposition Brief	December 29, 2020
------------------------------	-------------------

Appellees' Reply Brief	January 5, 2021
------------------------	-----------------

The parties also request that a briefing schedule on the merits of the appeal be deferred until the Court has ruled on Appellees' motion

THEREFORE, IT IS RECOMMENDED that, pursuant to paragraph 2(a) Procedures to Govern Mediation of Appeals from the United States Bankruptcy Court for this District and 28 U.S.C. § 636(b), this matter be withdrawn from the mandatory referral for mediation and proceed through the appellate process of this Court. No objections are anticipated to this Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), FED. R. CIV. P. 72(a) and D. DEL. LR 72.1 because it is consistent with the parties' request..

Local counsel are obligated to inform out-of-state counsel of this Order.

/s/ Mary Pat Thyng
Chief U.S. Magistrate Judge Mary Pat Thyng

¹ This letter is not docketed as per this Court's order of November 30, 2020.